SOUTH AFRICA.

3

CORRESPONDENCE

RELATING TO

PROPOSED ADDITIONS OF TERRITORY

TO

NATAL.

Presented to both Houses of Parliament by Command of His Majesty.

May, 1902.

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SOUTH AFRICA.

Correspondence relating to Proposed Additions of Territory to Natal.

No. 1.

HIGH COMMISSIONER LORD MILNER TO MR. CHAMBERLAIN.

(Received January 9, 1902.)

High Commissioner's Office, Johannesburg,
December 14, 1901.

SIR,

DURING my recent visit to Natal I had a long discussion with the Governor of that Colony and his Ministers as to the rectification of the boundaries of Natal—a subject on which, as they gave me to understand, they feel very strongly. Indeed, I have no doubt that, especially after the hopes that have been held out to them, the people of Natal reckon confidently upon some increase of their small and ill-shaped territory, and would feel the keenest disappointment if it were not to come about.

The result of the discussion is embodied in the two enclosed Memoranda: one dealing with a proposed increase of Natal by the inclusion of certain districts formerly forming part of the South African Republic, the other with a similar increase by the inclusion of a portion of the late Orange Free State.

The two proposals stand on a different footing. That contained in Memorandum "A" represents a complete agreement between the Government of Natal and myself. It was, like most agreements of the sort, a compromise—that is to say, in the course of discussion it became apparent that Natal would have welcomed an even greater extension of boundaries than appeared to me judicious in its own interests or desirable in the general interests of South Africa. Again, I found more difficulty in persuading Natal Ministers of the necessity of taking over as much of the debt of the new Transvaal Colony as in justice to that Colony I thought they should do. Still, in the end, I am glad to say that both parties were very well satisfied with the agreement arrived at.

I have not gone at length into the general arguments in favour of the extension of Natal on the north, as I believe His Majesty's Government are familiar with them, and have been in favour of such extension ever since they were compelled to annex the South African Republic. Nor have I thought it necessary or desirable to indicate the various points on which differences of opinion arose in the course of debate. The result alone is embodied in Memorandum "A." The proposal contained in that Memorandum I am prepared to recommend as it stands to His Majesty's Government, while the Government of Natal is prepared, as soon as the approval of His Majesty's Government is obtained, to bring such measures as are necessary to give effect to it on the part of Natal before the local Legislature during its next Session.

With Memorandum "B" the case is different. The proposal herein contained is for an extension of territory on the side of the Orange River Colony. This extension is warmly desired by the Natal Government; indeed, the Prime Minister of Natal went so far as to say that he considered it more important and valuable than the extension on the north-east—a view which, I own, surprised me. I myself was, at one time, strongly opposed to any extension of Natal at the cost of the Orange River Colony; but I am bound to say that the arguments adduced in favour of it by Natal Ministers made a considerable impression on my mind. I do not, however, feel any sufficient conviction of the desirability of the proposed change to urge it upon His Majesty's Government as I am prepared to urge the other. I have therefore simply confined

myself to stating the case for and against as impartially as possible. If any alteration of boundaries as between Natal and the Orange River Colony is desirable, I am satisfied that this particular alteration is the best possible.

The matter being such a debateable one, I have submitted Memorandum "B" to the Deputy Administrator of the Orange River Colony for his remarks. His reply is appended, as is also a Minute from the Natal Government in reply to it.

The proposals contained in the two Memoranda are entirely independent of one another. Should His Majesty's Government not agree to the second of the two, viz., that affecting the Natal–Orange River Colony boundary, the agreement between the Natal Government and myself as regards the Natal–Transvaal boundary would still hold good.

In conclusion, I have only to express the hope that I may be favoured with an early expression of your views on this subject. Considerable administrative inconvenience results at present from the uncertainty as to the future destiny of the border districts (this is especially the case with regard to Vryheid and Utrecht).

I have, &c.

MILNER, High Commissioner.

Enclosure 1 in No. 1.

MEMORANDUM "A."

PROPOSED REARRANGEMENT of NATAL–TRANSVAAL BOUNDARY.

1. IT is proposed that the following districts shall be transferred to Natal, viz.:—

The District of Vryheid, the District of Utrecht, and such portion of the District of Wakkerstroom as is comprised by a line drawn from the north-eastern corner of Natal, east by Volksrust in a northerly direction to the summit of the Drakensberg Range, along that range, passing just north of the town of Wakkerstroom to the headwaters of the Pongola River, and thence following the Pongola River to the border of the Utrecht District.

2. That in consideration of the advantage to Natal from this addition of territory, Natal shall take over 700,000*l.* of the Transvaal Debt.

Should the above scheme be sanctioned in principle by His Majesty's Government, a Joint Commission to make an exact delimitation of the boundaries and fix beacons will be immediately appointed by the Transvaal and Natal Governments.

The Commissioners will receive instructions to follow in principle the boundary as defined in this Memorandum, but considerable discretion must be left to them to make such minor alterations as their investigation of the local conditions may suggest as being necessary.

Enclosure 2 in No. 1.

MEMORANDUM "B."

PROPOSED REARRANGEMENT of NATAL–ORANGE RIVER COLONY BOUNDARY.

1. IT is proposed to include in Natal such portions of the Harrismith and Vrede Districts as are comprised by a line following the Elands River north from its source on the Basutoland border to its junction with the Wilge River, and thence drawn straight to the point where the boundaries of Natal, the Transvaal, and the Orange River Colony meet on the Drakensberg; and

2. That Natal shall in consideration of this addition to her territory take over a portion of the Orange River Colony debt, to be raised at the end of the war to the amount of 200,000*l.*

The arguments in favour of this readjustment of boundary are based on—

(1.) The commercial ties which bind to Natal the districts immediately west of the

Drakensberg. The whole commercial relations of the district round Harrismith are with Natal, not with Bloemfontein.

(2.) The fact that the railway to Harrismith belongs to Natal, and will have to be taken over by the Orange River Colony if the present boundary is preserved.

(3.) The fact that almost all the farmers in the district proposed to be ceded, own land on both sides of the Drakensberg, and are accustomed to move backwards and forwards according to the season for pasture.

(4.) It is also urged that the change would provide Natal with a better defensive frontier, but this argument seems to have lost much of its weight in present circumstances.

On the other hand it is argued—

(1.) That the strongest possible reason must be shown for disturbing the *status quo*, and the above considerations are not of sufficient weight to justify such a momentous change as the alteration of a boundary which has existed since the beginning of both States.

(2.) That to disturb the *status quo* in this case is to abandon a great natural boundary in favour of a purely arbitrary one.

(3.) That it is impossible to devise any boundary which will exactly coincide with that division of commercial and farming interests, which forms the basis of the argument for Natal. If the cession is made, some farmers will no doubt be transferred to Natal who have land in that Colony; but others will also be transferred who have no such land, but who have second farms in what will remain a portion of the Orange River Colony. Therefore the old state of things will be reproduced.

Enclosure 3 in No. 1.

DEPUTY ADMINISTRATOR, ORANGE RIVER COLONY, to LORD MILNER.

Government Office, Bloemfontein, O.R.C.,
November 30, 1901.

MY LORD,

I HAVE the honour to acknowledge your Confidential Memorandum, dated the 23rd instant, with reference to the subject of the rearrangement of the boundaries of Natal.

I have given very careful consideration to the arguments advanced for and against the proposed rearrangement of the boundaries between this Colony and Natal, and while I gladly acknowledge the generous, loyal, and praiseworthy attitude of Natal during the present crisis, and fully admit that the strenuous efforts made by her in support of the Imperial military forces may confer some claim to an extension of her boundaries, I cannot find sufficient reason for the particular extension proposed in Memorandum "B," or see in it any material benefits to the Colony of Natal. In view of the fact that this country has now become an integral part of the Empire, the transference of a portion of the territory to enrich its neighbour cannot possibly tend to promote that harmony between the two Colonies which it is so desirable at the present moment to foster by every means in our power. There is not the very slightest doubt that, were that portion of this Colony which is now asked for by Natal transferred as suggested, it would create intense irritation in the minds of the whole of our population, more especially in those of the persons residing within the area in question, and would lead, I feel sure, to endless complications for the residents in the Harrismith and Vrede Districts.

No matter from what aspect the matter is looked at, I am satisfied that the suggested alteration of the boundaries is anything but desirable. First of all, from the territorial standpoint, the Orange River Colony having been proclaimed in its entirety as a separate dependency of the Crown, with its boundaries as they exist (and certainly no stronger natural boundary could be got than that existing on the Natal side, the whole advantage of which would be lost in the new line proposed), it may be a question whether any portion of it can now be arbitrarily placed under another Government without the consent of the subjects involved. In any case, however, there can be no doubt that, socially, such a change would involve the severance of numberless local and family ties, regarding which the majority of the residents concerned would be found to maintain extremely strong views. These perhaps might, to some degree, be held on sentimental grounds, but the very fact that sentiment would be deeply

touched by it would render the transfer a lasting grievance. It is clearly our duty as well as our policy to induce the Boer population of this Colony, after the war, speedily to accept British rule and settle down to their several avocations, and it is, therefore, of primary importance that as few alterations as possible, and only such as are absolutely essential, should be made in their former condition.

I cannot see that, commercially, it would be of any great importance to Natal were the present proposals adopted, because if, as is alleged, Natal already enjoys a commercial connection with these districts, their annexation would not materially alter or enhance that advantage. From the whole tenour of the Charlestown Convention of February 1894 between Natal and Transvaal, which very materially curtailed the benefits derivable by this country from the Natal–Orange Free State Convention of June 1890, one is led to conclude that Natal did not at that time show any great desire to develop trade with this Colony or any part of it, and, at any rate, did not then attach to the connection the value which she would now seem to do. As a matter of fact, the railway Returns of the late Orange Free State prove that these districts were, prior to the war, very largely supplied by Orange Free State railways, through the nearest stations, such as Heilbron and Kroonstad, and thus it cannot be said that the whole of their commercial business was done with Natal.

Another point which deserves serious consideration is the ecclesiastical difficulty. The great majority of residents in the territory proposed to be annexed to Natal belong to the Dutch Reformed Church of the Orange River Colony—the Church in which they have been born and reared, baptized, confirmed, and married. The transference of these districts would mean that the residents would have to break off all their spiritual connections with the Dutch Reformed Church of this Colony, and enter into new arrangements with the Dutch Reformed Church of Natal. This would be purely a sentimental grievance, but one of which we should hear for years to come.

I am fully alive to the fact that all instances in history where portions of one country have been taken over or absorbed by another, the residents of the absorbed territory must have experienced certain legal difficulties in their ordinary business transactions arising from the change of laws and procedure, and that considerable complications must always have ensued. There would, therefore, be nothing unique in the position of these districts. Nevertheless, as contracts, transfers, bonds, and obligations of all kinds would have, of course, been entered into by persons domiciled in the country so transferred, we should not lose sight of the difficulties to be encountered later on by them, arising from the different interpretation placed upon these documents under the laws of the country to which the transfer takes place. The consequence in the present instance would be that persons residing within the portion of the Orange River Colony, which it is suggested should be transferred, would be obliged to have recourse to the new jurisdiction to sue for or protect their rights. This would also mean that banks or other companies, or private capitalists who hold bonds, bills, and other obligations of debt to a large amount, when they suddenly found their debtors placed under another jurisdiction, would have to follow them to obtain a settlement, and consequently incur considerable costs which they never contemplated. This, although (as before stated) a natural result of the transference of one portion of a country to another, is certainly not desirable at the present moment.

Politically, I have very great doubts as to the wisdom on the part of Natal of putting forward the present proposals in the light of existing circumstances. The Government of Natal may very fairly say that this is a matter which does not really concern this Colony; nevertheless, I think there is no harm in drawing attention to it.

It is understood that a large proportion of the Dutch population at present in Natal is, and has been proved to be, disaffected. They are no doubt in such a minority that they cannot influence legislation to any great extent, but if we add to them the 15,000 or 16,000 Dutch residents in the portions of the Harrismith and Vrede districts which are asked for, many of whom have been the most stubborn malignants, and are certain to claim representation, the anti-British element in Natal will become vitally strengthened, and the Government of that Colony will therefore have to reckon with a considerable greater anti-British party than heretofore. At any rate, more chances for strong political agitation must be created, and the result may be the establishment of another party on similar lines to that of the Afrikander Bond.

It is no doubt true that many of the farmers in these districts were accustomed to move into Natal to winter their stock, but it is equally true that, notwithstanding

these annual migrations, they remained subject to the late Orange Free State, and held their domiciles here, plainly showing their predilection for the conditions existing on this side of the Berg.

To sum up, I will only record my conviction that any partition of this Colony would entail the consequences which I have pointed out, and would be a serious mistake. While not benefiting Natal, it would leave a lasting cause of grievance in the minds of the Dutch burghers concerned.

I do not think it necessary to refer to the arguments about the railway to Harrismith, which this Government will be prepared to take over at the proper time, or to the share of our State debt, for which Natal appears willing to be responsible. They are not, to my mind, of sufficient importance to influence the final decision on the whole question.

I have, &c.
H. GOOLD ADAMS,
Deputy Administrator, O.R.C.

His Excellency the High Commissioner,
Johannesburg.

Enclosure 4 in No. 1.

DEPUTY GOVERNOR, NATAL, to LORD MILNER.

Government House, Pietermaritzburg, Natal,
December 10, 1901.

MY LORD,

I HAVE the honour to acknowledge the receipt of your despatch of the 4th instant, covering copy of despatch proposed to be addressed by your Excellency to the Secretary of State, together with certain Memoranda, all which have, as requested, been submitted to Ministers.

2. I now inclose copy of Minute by Ministers, containing their observations on the subject of the arrangement of the boundaries of Natal.

3. The close connection, commercially, agricultural, social, and family, between the inhabitants of the districts proposed to be transferred from the Orange River Colony and Natal, and the fact of the ownership of land on both sides of the Drakensberg by the same persons, afford strong reasons in support of the views of Ministers.

4. The increase of the Dutch electorate, tempered by the large British population of the town of Harrismith, would not appreciably affect the predominance of British sentiment in the electorate or Parliament of the Colony.

5. The legal difficulties suggested by the Deputy Administrator could be easily overcome, and many of the restrictions which at present affect the removal of stock from the one Colony to the other would be removed, while the immediate grant of Municipal Government and Parliamentary representation to the new districts would prevent the feeling of subjection inseparable from the maintenance of a close form of Government.

6. As regards the ecclesiastical difficulty referred to by the Deputy Administrator of the Orange River Colony, I would observe that the "disjoining," even if necessary, of the Harrismith Kerkraad from the Synod of the Orange River Colony, and its inclusion in the Synod of the Dutch Reformed Church of Natal, could be effected with even less inconvenience than would be involved in the transference of the Parish of Harrismith from the Orange River Episcopate to that of Natal. The Delegates from the Harrismith district could assemble at Ladysmith, Newcastle, Pietermaritzburg, or Greytown, the principal centres of the Dutch Reformed Church in Natal, with greater facility than they could assemble at Bloemfontein and other parts of the Orange River Colony. The Harrismith circuit of the Wesleyan Methodist Church now forms part of the district of Natal, and the Harrismith Presbyterian Church, till 1898, formed part of the Presbytery of Natal.

7. The establishment of Harrismith as one of the circuits of the Natal Supreme Court would afford the same facilities as heretofore for the hearing of cases locally, and the Supreme Court sitting at Pietermaritzburg would be more accessible to litigants than a Court sitting at Bloemfontein.

8. The construction of the railway from Ladysmith to Harrismith by the Govern-

ment of this Colony was an evidence of the value attached by it to the trade of the Harrismith district; but when the Railway Convention of 1894 between Natal and the Transvaal was entered into, the trade with the Orange Free State had been very seriously affected by the Customs Convention between the Free State and the Cape Colony. The trade, however, revived upon the entry of Natal into the Customs Convention, and value does therefore now attach to the trade between Natal and the Harrismith district.

9. If the proposed transfer of Orange River Colony territory is made, I do not think that the old state of things will be reproduced, because the number of persons who will have second farms in what will remain a portion of the Orange River Colony will be very small. The reason for holding a second farm in Natal is the necessity for winter grazing for stock.

10. The Prime Minister wishes me to say that if His Majesty's Government is unable to approve of the transfer of part of the Orange River Colony to Natal, Ministers will, of course, be prepared to introduce the legislation necessary to provide for the inclusion in the Colony of Natal of those portions of the Transvaal indicated by your Excellency.

I have, &c.
HENRY BALE, Deputy Governor.

His Excellency the Right Honourable
The Lord Milner, G.C.B., G.C.M.G., &c., &c.,
Johannesburg.

MINUTE.

Prime Minister's Office, Pietermaritzburg,
Natal, December 10, 1901.

MINISTERS have the honour to acknowledge the receipt of the Deputy-Governor's Minute of the 7th, forwarding a despatch, dated the 4th instant, from the High Commissioner to the Governor, transmitting, for the observations of Ministers, copy of a despatch, with certain annexures, which Lord Milner proposes to address to the Secretary of State for the Colonies, respecting the rearrangement of the boundaries of Natal.

2. Ministers concur with the High Commissioner that the terms of the proposed despatch accurately reflect the understanding which was arrived at during the discussion which took place on the occasion of Lord Milner's visit to Natal.

3. Ministers understand the proposed rearrangement of boundaries to be as follows:—

PROPOSED REARRANGEMENT of NATAL–TRANSVAAL BOUNDARY

The following districts to be transferred to Natal, viz.:—
The District of Vryheid;
The District of Utrecht;
And such portion of the district of Wakkerstroom as is comprised by a line drawn from the north-western corner of Natal, east of Volksrust, in a northerly direction to the summit of the Drakensberg Range, along that range, passing just north of the town of Wakkerstroom, to the head waters of the Pongola River, and thence following the Pongola River to the border of the Utrecht district.

That, in consideration of the advantage to Natal from this exchange of territory, Natal shall take over 700,000*l.* of the Transvaal Debt.

Should the above scheme be sanctioned in principle by His Majesty's Government, a Joint Commission, to make an exact delimitation of the boundaries, and fix beacons, would be immediately appointed by the Transvaal and Natal Governments.

The Commissioners would receive instructions to follow in principle the boundary as above defined, but considerable discretion would be left to them to make such minor alterations as their investigation of the local conditions might suggest as being necessary.

PROPOSED REARRANGEMENT of NATAL–ORANGE RIVER COLONY BOUNDARY.

To include in Natal such portions of the Harrismith and Vrede districts as are comprised by a line following the Elands River north from its source on the Basutoland border to its junction with the Wilge River, and thence drawn straight to the point where the boundaries of Natal, the Transvaal, and the Orange River Colony meet on the Drakensberg.

That Natal shall, in consideration of this addition to her territory, take over a portion of the Orange River Colony Debt, to be raised at the end of the war, to the amount of 200,000*l.*

4. Ministers are prepared, as soon as the sanction of His Majesty's Government is obtained, to recommend the adoption of these proposals to Parliament, and they have no reason to doubt that the necessary legislation will be passed to give effect thereto.

5. In view of the High Commissioner's expression of opinion, and the complete agreement which has been arrived at between Lord Milner and Ministers as regards the proposed transfer to this Colony of certain of the Transvaal territory, Ministers do not consider that it is necessary to add any further observations on that subject.

6. Ministers have considered the reply of the Deputy-Administrator of the Orange River Colony to the High Commissioner's Memorandum of the 23rd ultimo, with reference to the proposed increase of Natal by the inclusion of portion of the late Orange Free State, and they beg to submit the following observations thereon for the consideration of His Majesty's Government:—

Ministers are satisfied that the proposed annexation of portions of the Harrismith and Vrede districts would be of material benefit to Natal, for the reasons given in their previous Minute of the 23rd March last,* and which they beg to quote as follows:—

"As regards the Harrismith and Vrede districts, Ministers would direct attention to the fact that nearly every farmer in those districts either owns or rents a farm in Natal, to which, owing to climatic conditions, he is obliged to bring his stock for winter grazing. Confusion has, in the past, arisen in connection with the franchise rights of these persons in respect of their property qualifications in Natal. The difference in the laws of the two countries as regards infectious diseases has occasioned considerable difficulty in connection with the removal of stock from these districts to Natal for winter grazing; the laws of Natal are strict and strictly enforced, and it is, therefore, desirable that the Harrismith and Vrede districts should be subject to the laws of Natal as regards scab and other diseases.

"Until the conclusion of the Customs Convention between the Free State and the Cape Colony in 1889, the trade of these districts was done with Natal, and, though a portion of it was then lost, it revived upon the conclusion of the Convention between the Cape, Free State, and Natal, in 1898.

"Parliamentary representation could be immediately accorded the whole of the above-mentioned district, and the immediate promise of it would probably tend to pacification and reconcile them to the change of Government. If not annexed to Natal, considerable time would probably elapse before representative institutions could be granted.

* * * * * *

"A Convention was entered into with the Government of the Orange Free State (now Orange River Colony) in June 1890, providing for the construction of railway from the Natal border on the summit of the Drakensberg, at Van Reenen's Pass, to the town of Harrismith (23½ miles). That railway belongs to and is worked by the Natal Government, and its agreed capital cost was 260,343*l.* The connecting line from Ladysmith to Van Reenen's Pass (35¾ miles) cost 498,668*l.* In all, the Natal Government has expended upon railways giving connection with the Orange River Colony 759,011*l.*, for the interest upon which sum, as well as the working expenditure, the Colony of Natal has been solely responsible. If the Harrismith district is not transferred to Natal, the Colony should be at once reimbursed the amount of 260,343*l.*"

Should there be any irritation, such as that which is feared by the Deputy Administrator, it would, in Ministers' opinion, as pointed out above, be allayed by the

* See Appendix, where so much of the Minute as refers to this question is printed.

granting of Parliamentary representation, which, in the event of annexation to Natal not taking place, would be delayed for a considerable period.

Ministers cannot understand the basis on which the Deputy Administrator has arrived at his estimate of population, as, according to the official returns of the Census which was taken in the Orange Free State in 1891, the white population of the Harrismith district was given as 3,054 and that of the Vrede district as 3,344. These returns included the whole of those districts, and, as Natal is now asking for approximately two-thirds of the former and one-tenth of the latter, it is inconceivable—quite apart from any decrease occasioned by the war—that the white population of those portions of the two districts proposed to be annexed should exceed 3,000.

Ministers do not share the apprehension of the Deputy Administrator as regards the strengthening of the anti-British party in Natal, and they would point out that, whatever anti-British element exists in the Colony, it failed to obtain direct representation in the Legislative Assembly during the recent general elections; they would further observe that the population of the important towns of Harrismith has always been regarded as anything but anti-British, and has, in fact, generally returned to the Volksraad a Member of British birth.

Ministers cannot admit the argument that the farmers in the two districts had evinced very decided predilection for the conditions existing in the Orange River Colony, except in so far as their selection of domicile was influenced by birth, domestic associations, and the more genial climate of the country during the greater portion of the year. The farmers of those districts are as closely connected with the Dutch residents in the northern portions of this Colony as they are with any of the people in the adjoining districts of the Orange River Colony, and many of them have exercised the Parliamentary franchise in Natal.

With regard to the argument that this Colony would not derive much commercial advantage from the proposed annexation, it is hardly necessary to point out that great benefits would result to Natal from a direct commercial relationship with the districts in question as distinguished from any advantages to be derived from an intercolonial trade.

Ministers cannot admit that, in concluding with the Government of the late South African Republic the Railway Convention of February 1894, this Government in any way showed an indisposition to develop trade with the late Orange Free State or with any part of it; it was essential at that time, in order to retain its share of the Transvaal trade, that Natal should have the most direct and the shortest line for the Overberg traffic to Johannesburg and Pretoria. Ministers consider that the building and working of the railway from Ladysmith to Harrismith, at the sole expense of the Natal Government, may be regarded as sufficient evidence of the desire of this Colony to conserve and develop the trade in question.

As regards the ecclesiastical difficulties which have been suggested, Ministers would observe that the form of Church Government and doctrine are the same in both countries, and that no difficulty would be experienced in transferring the spiritual connection from the Dutch Reformed Church of the Orange River Colony to that of Natal.

With regard to the legal difficulties mentioned by the Deputy Administrator, Ministers would point out that the common law of both countries is the same; the form of conveyance of landed property and the system of registration are practically the same in both countries; legal rights could be enforced in the annexed territory in very much the same way as heretofore, and there would be no difficulty in assimilating the legal institutions of the Orange River Colony with those of Natal.

Ministers cannot agree with the argument that the proposed annexation would involve social estrangement.

The existing boundary line between Natal and the Orange River Colony has certainly not affected the family relationship or social intercourse between the Dutch of the two countries, and Ministers cannot see in what way an alteration of the existing line of boundary would prejudice the social relations of the people.

7. Ministers would add, in conclusion, that notwithstanding the objections which have been urged by the Deputy Administrator, they are still strongly of opinion that the proposed transfer to this Colony of portions of the Harrismith and Vrede districts of the Orange River Colony would be for the mutual benefit of Natal and of the districts proposed to be annexed.

A. H. HIME, Prime Minister.

No. 2.

HIGH COMMISSIONER LORD MILNER TO MR. CHAMBERLAIN.

(Received 6·35 A.M., January 31, 1902.)

TELEGRAM.

(January 30. No. 109.)

REFERRING to my despatch 14th December,* received following from Governor of Natal:—

Begins: Natal Parliament meets on 26th February. Prime Minister wishes to introduce paragraph about extension of boundaries. Has any reply yet been received or can you say whether any is on the way? *Ends.*

What answer shall I give?

No. 3.

MR. CHAMBERLAIN TO HIGH COMMISSIONER LORD MILNER.

(Sent 10·45 A.M., February 26, 1902.)

TELEGRAM.

(February 26. No. 1. Matter most urgent.)

WITH reference to your despatch of 14th December,* His Majesty's Government accept the proposal embodied in Memorandum "A" except that we are disposed to doubt whether, in view of large part of Wakkerstroom to be retained by the Transvaal, the town should be transferred to Natal.

Boundary Commission, which might consist of three members representing Imperial, Transvaal, and Natal Governments, should have considerable latitude in considering this and similar points.

His Majesty's Government regret that they do not, after full consideration, feel able to meet the wishes of Natal with regard to "B."

Inform the Governor of Natal.

No. 4.

MR. CHAMBERLAIN TO HIGH COMMISSIONER LORD MILNER.

MY LORD, Downing Street, March 8, 1902.

ON the 26th February I telegraphed† to you that His Majesty's Government were prepared, subject to examination by a Boundary Commission, to agree to the proposed transfer of the districts of Vryheid, Utrecht, and part of Wakkerstroom to Natal, but were not prepared, after full consideration, to agree to the proposed transfer of parts of the Harrismith and Vrede districts of the Orange River Colony.

The Natal Government have expressed the opinion that Natal, by reason of its relatively small extent of territory and small European population, has been at a distinct disadvantage in times past, and that its borders should, therefore, be extended, and it has accordingly been proposed that the districts above referred to should be transferred to Natal.

His Majesty's Government recognize that the desire of the Natal Government to extend the borders of the Colony is, in the circumstances, a natural and legitimate one; and they gave practical expression to this view in 1897 when the Province of Zululand, including Amatongaland, was transferred to Natal. They feel much satisfaction in now agreeing to a further extension of the boundaries of Natal, in view of the steadfast loyalty and endurance shown by the people of Natal during a trying period of invasion and protracted hostilities.

There are, in the opinion of His Majesty's Government, very strong reasons of a practical nature for making the transfer of Transvaal territory now decided upon.

The present boundary between Natal and the Transvaal is not marked by strong natural divisions, and is undoubtedly inconvenient—large wedges of Transvaal territory being interposed between the northern part of Natal and Zululand, while the natives of the districts to be transferred are closely allied to those of the adjoining portions of

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* No. 1. † No. 3.

Natal. With regard to Vryheid this is pre-eminently so. The natives of Vryheid are Zulus, and still, as I understand, consider themselves as part of the nation; and it therefore will be a natural and convenient arrangement that they should be placed under the Zululand Administration. The district was only separated from the rest of Zululand in 1883 by a raid of armed Boers, who established a Republic, which was incorporated in the late South African Republic in 1888. In handing over this district to the Administration which controls the rest of Zululand, His Majesty's Government feel that they are reuniting what ought never to have been separated.

With regard, however, to the proposed transfer of territory from the Orange River Colony, the circumstances are different. There is no such historical reason as exists in the case of Vryheid for making the transfer. On the contrary, the districts in question have invariably formed part of the State from which it is now proposed to sever them, and they are separated from Natal by mountains which form a well-defined natural boundary.

With regard to the question of convenience of administration, there is a considerable difference of opinion between the Natal Ministers and the Deputy Administrator of the Orange River Colony, and I am not prepared to discuss the arguments which have been urged on either side; but it is, I think, evident that the practical advantages to be gained by a transfer are not at all commensurate with those which will accompany the transfer of territory from the Transvaal.

In these circumstances, His Majesty's Government have decided to confine the territory to be transferred to the districts in the Transvaal. These districts according to such statistics as are available, appear to contain not less than 8,000 white inhabitants and some 50,000 natives, and have an area of upwards of 7,000 square miles, which will mean an addition to the white population of Natal of about one-seventh, to her native population of about one-sixteenth, and to her territory of about one-fourth. The addition, therefore, which is to be made to Natal, though it will not be so large as deeply to alter the general character of the Colony, or to impair its moral weight in the councils of South Africa, which, in the opinion of His Majesty's Government, it is most important to maintain undiminished, is large in proportion to the present size of Natal.

I request that you will furnish a copy of this despatch to the Governor of Natal for communication to his Ministers.

I have, &c.
J. CHAMBERLAIN.

No. 5.

GOVERNOR SIR H. E. McCALLUM (Natal) TO MR. CHAMBERLAIN.
(Received 3·15 P.M., May 1, 1902.)

TELEGRAM.

(May 1. No. 1.)

IT gives me much pleasure to inform you that the proposals made by His Majesty's Government for the rectification of boundary of Natal have been received by Legislative Assembly favourably and that it is anticipated Resolutions confirming same will be passed unanimously.

Similar telegram sent to High Commissioner.

No. 6.

GOVERNOR SIR H. E. McCALLUM (Natal) TO MR. CHAMBERLAIN.
(Received 10·55 P.M., May 1, 1902.)

TELEGRAM.

(May 1. No. 2.)

REFERRING to my telegram of 1st May, No. 1,* Resolution referred to passed unanimously this afternoon.

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* No. 5.

APPENDIX.

NATAL.

Ministers to Governor.—Extract from Minute dated March 23, 1901.

NATAL, by reason of its relatively small extent of territory, and small European population, has been at a distinct disadvantage in times past, and its borders should therefore be extended.

It is submitted that the following districts should be transferred to Natal:—

	Area in Square Miles.	Voters.
From the Transvaal.		
(*a.*) Vryheid District	4,734	779*
(*b.*) Utrecht District	1,835	556*
(*c.*) Piet Retief District	1,512	400 (approximately)
(*d.*) Wakkerstroom District	2,890	1,101*
From the Orange River Colony.		
(*e.*) Harrismith District	3,141	620 (approximately)
(*f.*) Vrede District	3,277	658 (approximately)

(The figures marked thus * are taken from the Green Books recently issued by the Intelligence Department in Pretoria.)

(*a.*) The strongest reasons, geographical, commercial, and historical, exist for the annexation of the Vryheid district to Natal. This territory was taken by a predatory irresponsible band of Boers who had no claim to it. The Imperial Government, in spite of the protests of Natal, declined to interfere and the annexation was recognized. On reference to the map, it will be seen that this district intrudes into Natal, and that in order to travel by the shortest route from the Nqutu district in Zululand to that of Mahlabatini, also in Zululand, it is necessary to pass for a considerable distance through the Vryheid district. Its natives are Zulus, who have naturally looked to the Zululand Administration for protection. A railway is in process of construction under an agreement with the late Transvaal Government from Dundee to Vryheid, and, but for the war, would have been completed.

(*b. c. d.*) Geographically, these districts belong to Natal; their annexation would afford a more appropriate boundary by cutting off the wedge-shaped piece that separates Natal from Zululand, and would relieve the Transvaal of a considerable Dutch population.

If, for any reason, it is undesirable that the whole of the Wakkerstroom district be made over to Natal, at least the southern portion should be made over, including the town of Wakkerstroom.

The natives of these districts are also closely allied to the natives of the adjoining portions of Natal.

(*e. f.*) As regards the Harrismith and Vrede districts, Ministers would direct attention to the fact that nearly every farmer in those districts either owns or rents a farm in Natal, to which, owing to climatic conditions, he is obliged to bring his stock for winter grazing. Confusion has, in the past, arisen in connection with the franchise rights of these persons in respect of their property qualifications in Natal. The difference in the laws of the two countries as regards infectious diseases has occasioned considerable difficulty in connection with the removal of stock from these districts to Natal for winter grazing; the laws of Natal are strict and strictly enforced, and it is, therefore, desirable that the Harrismith and Vrede districts should be subject to the laws of Natal as regards scab and other diseases.

Until the conclusion of the Customs Convention between the Orange Free State and the Cape Colony in 1899, the trade with these districts was done with Natal, and though a portion of it was then lost, it revived upon the conclusion of the Convention between the Cape, Free State, and Natal in 1898.

Parliamentary representation could be immediately accorded the whole of the above-mentioned districts, and the immediate promise of it would probably tend to pacification, and reconcile them to the changes of Government. If not annexed to Natal, considerable time would probably elapse before representative institutions could be granted.

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on 31 October, 2019

The passing of the Redistribution Bill, which is contemplated in Natal, seems to afford a favourable opportunity for incorporating these districts with Natal.

Ministers are strongly averse to the proposition which has been put forward in different quarters that Swaziland should be retained and governed by the Crown as a native territory on the lines of the Basutoland Administration. The establishment of native territories of this description is, in the opinion of Ministers, a retrogressive policy, and is likely to retard the development of South Africa, and to lead to trouble in the future. Ministers consider that it would be better that the country should either be annexed to Natal or be incorporated in the Transvaal.

Ministers would take this opportunity of drawing attention to the inconvenience of the present boundary-line between the southern portion of Natal and the Cape Colony. A reference to the map will show how highly inconvenient the present position is, as, in order to get to Harding from Ixopo (both Natal Magistracies), a portion of the Cape Colony has to be traversed, and this Colony now bears half the cost of the maintenance of the road between Umzimkulu and Harding, and is also paying a moiety of the cost of bridging the Ibisi River, which is situate in Cape territory. In this connection Ministers beg to refer to the correspondence* between the Natal Government and the Imperial Government on the subject of the affairs of Pondoland. This correspondence commences with Sir John Robinson's Minute of the 20th December, 1893, and terminates with his Minute of the 24th April, 1894. They would also very specially direct attention to Sir Henry Bulwer's despatch of the 26th September, 1885,† a copy of which formed an Annexure to Sir John Robinson's Minute of the 20th December, 1893.

In Sir John Robinson's Minute of the 24th April, 1894, it was pointed out that the Natal Government could not recognize any finality in a settlement which would ignore the right of Natal to be consulted in the ultimate disposal of Pondoland and its people, and in this view Ministers concur.

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* Published in Natal in 1894.

See No. 8 in [C. 5022